

ORDINANCE NO. 2014-09

AN ORDINANCE OF THE CITY OF SEDONA, ARIZONA, AMENDING ARTICLE 188 (PUBLIC ART) OF THE SEDONA LAND DEVELOPMENT CODE MODIFYING THE REVIEW AND APPROVAL PROCESS FOR INSTALLATION OF PUBLIC ART; PROVIDING THAT ALL ORDINANCES OR PARTS OF ORDINANCES OR ANY PART OF THE SEDONA CITY CODE IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE SHALL BE REPEALED UPON THE EFFECTIVE DATE OF THIS ORDINANCE; AND DESCRIBING PENALTIES THERETO.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SEDONA, ARIZONA, AS FOLLOWS:

Section 1. Adoption by Reference

The proposed amendments to Article 18 of the Sedona Land Development Code relating to review and approval of the installation of public art, as set forth in that edited document entitled "*PROPOSED CHANGES TO ARTICLE 18 OF THE SEDONA LAND DEVELOPMENT CODE CONCERNING PUBLIC ART REVIEW AND APPROVAL*", established as a public record by Resolution No. 2014-20, is hereby referred to, adopted, and made a part hereof, as if fully set forth in this Ordinance, and serve to amend the Sedona Land Development Code in accordance with the provisions thereof.

Section 2. Repeal

All ordinances or parts of ordinances or any part of the Sedona City Code in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict as of the effective date hereof.

Section 3. Savings Clause

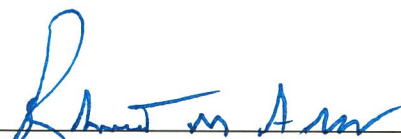
If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remainder of this Ordinance. The City Council declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, despite the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions thereof would be declared invalid or unconstitutional.

Section 4. Penalty

Except as otherwise provided, any person found guilty of violating any provisions of the Land Development Code, any amendment thereto, or any order or regulation made thereunder (collectively, the "Code"), including the failure to perform any act or duty so required, shall be guilty of a Class 1 misdemeanor and, upon conviction, shall be punished by a fine not to exceed \$2,500 or by imprisonment for a period not to exceed 6 months, or by both such fine and imprisonment. Probation may be imposed in accordance with the provisions of A.R.S. Title 13, Chapter 9. Each day that any violation

continues shall be a separate offense punishable as above described or by civil sanction. In the alternative, an action may be commenced as a civil violation pursuant to SLDC § 1401.

PASSED AND ADOPTED by the Mayor and City Council of the City of Sedona, Arizona this 24th day of June, 2014.


Robert M. Adams, Mayor

ATTEST:


Susan L. Irvine, CMC, City Clerk

APPROVED AS TO FORM:


Mike Goimarac, City Attorney